

## **PATENT**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Daczko, et al.

Docket No.

MBC.P0471

Serial No.

10/749,780

Examiner:

N/A

Filed:

12/30/2003

Group Art Unit:

N/A

For:

High Early-Strength Fiber Reinforced Cementitious Composition

COMMISSIONER FOR PATENTS P.O. Box 1450

Alexandria, VA 22313-1450

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Joan R Barris

(type or print name of person signing paper)

Evan P Barriso

2/2/2009

(date)

TRANSMITTAL SHEET

Enclosed is:

Transmittal Letter with Certificate of Mailing and Authorization to Charge Deposit Account Transmittal of Information Disclosure Statement Within Three Months of Filing Date of Application

Information Disclosure Statement By Applicant - SB08A-B

Cited Reference (1 foreign document)

Return receipt postcard

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

In the event an additional fee is applicable to the filing of this document and the required fee is not enclosed, or the fee submitted is insufficient, the Commissioner is hereby authorized to charge any fees for Docket No. MBC-0471 which might be required to effect the filing of this (these) documents to Account No. 18-0987. This certificate is submitted in duplicate.

Respectfully submitted,

Joseph G. Curatolo, Esq. (Reg. No. 28837)

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Date 3-2.2004

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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN THREE MONTHS OF FILING DATE OF APPLICATION

(37 C.F.R. §1.97(b)(1))

Pursuant to 37 CFR §1.97 encouraging the filing of an Information Disclosure Statement, Applicants submit this paper in compliance with their duty of disclosure as set forth in 37 C.F.R. §1.56.

Applicants wish to introduce art having some relevance to the present application, which has been listed on attached Form PTO/SB/08A. This form includes eleven (11) United States patent documents and one (1) foreign patent document. No representation is made that a specific search has been made by Applicants, that the information is material to the claimed subject matter, or that the information represents the only or the best information.

Applicants do not admit that any of the information provided is necessarily prior to their invention, but rather it is information of which Applicants are aware and believe should be provided to the Office in fulfillment of the duty of disclosure. Any question that may arise regarding the priority of a specific document shall be resolved during prosecution.

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(signature of person mailing paper)

The information provided is in the English language. The referenced art is being cited for the express purpose of providing the Patent and Trademark Office with the opportunity to make an evaluation and to arrive at an independent assessment of materiality of each document, if any, to the examination of this application.

It is noted that the Office has waived the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003.

Applicants respectfully request that the information cited be made of record in the subject case.

## IDENTIFICATION OF TIME OF FILING THE INFORMATION DISCLOSURE STATEMENT

The Information Disclosure Statement submitted herewith is being filed within three (3) months of the filing of the present application. No certification or fee is due with this filing of the Information Disclosure Statement. 37 C.F.R. §1.97(b)(1).

Respectfully submitted,

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Attorney for Applicants

<u>2-27-2004</u> Date

PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
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S	ubstitute for form 1449A/PTO			Application Number	10/749,780	
	INFORMATION DISCL	os	URE	Filing Date	12/30/2003	
	STATEMENT BY APP	LIC	ANT	First Named Inventor	Daczko et al.	
				Art Unit	N/A	
	(Use as many sheets as neces	sary)		Examiner Name	N/A	
Sheet	1	of	2	Attorney Docket Number	MBC-0471	

U.S. PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Document Number   Publication Date		Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
	Ī	US-4,240,840	12/23/1980	Dowling et al.				
		US-4,559,881	12/24/1985	Lankard et al.				
		US-4,780,141	10/25/1988	Double et al.				
		US-4,902,347	02/20/1990	Soroushian et al.				
		US-4,979,992	12/25/1990	Baché				
		US-5,030,282	07/09/1991	Matsuhashi et al.				
		US-5,224,774	07/06/1993	Valle et al.				
		US-5,653,796	08/05/1997	Kawai et al.				
		US-5,792,252	08/11/1998	Sprouts				
		US-5,916,361	06/29/1999	Molloy et al.				
		US-6,296,698 B1	10/02/2001	Naramoto et al				
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FOREIGN PATENT DOCUMENTS							
Examiner Initials*	[	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Τ.	
	Cite No.1	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> ( <i>if known</i> )	MM-DD-YYYY			T	
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Examiner	Date	
Signature	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/08b (08-03)

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Substitute for form 1449B/PTO				Complete if Known		
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INF	ORMATION DISC	u osi	IRF	Filing Date	12/30/2003	
STATEMENT BY APPLICANT				First Named Inventor	Daczko et al.	
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	(Use as many sheets as nec	essary)		Examiner Name	N/A	
Sheet	2	of	2	Attorney Docket Number	MBC-0471	

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*						
		MASAMITSU, ETO, et al, Steel Fiber-Reinforced High-Fluidity High-Strength Concrete, Patent Abstracts of Japan, Publication No. 09-227191, 02.09.1997				
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